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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,500	11/05/2003	Ryoichi Nakatani	ASA-350-07 6292	
24956	7590 03/29/2005		EXAMINER	
MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C. 1800 DIAGONAL ROAD			RENNER, CRAIG A	
SUITE 370		ART UNIT	PAPER NUMBER	
ALEXANDRIA, VA 22314			2652	
			DATE MAILED: 03/29/2005	;

Please find below and/or attached an Office communication concerning this application or proceeding.

1)⊠ Responsive to communication(s) filed on 09 March 2004. 2a)□ This action is FINAL. 2b)⊠ This action is non-final. 3)□ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4)☑ Claim(s) 23-30 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5)□ Claim(s) is/are allowed. 6)□ Claim(s) is/are rejected. 7)□ Claim(s) is/are objected to. 8)☑ Claim(s) 23-30 are subject to restriction and/or election requirement. Application Papers 9)□ The specification is objected to by the Examiner. 10)□ The drawing(s) filed on is/are: a)□ accepted or b)□ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11)□ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12)□ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a)□ All b)□ Some * ○□ None of: □ Certified copies of the priority documents have been received in Application No 3.□ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received.	•	Application No.	Applicant				
## Examiner ## Craig A Renner ## 2652 ## The MAILING DATE of this communication appears on the cover sheet with the correspondence address ## Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. ** Exeminate of time may be available under the provisions of 3 CFR 1.135(b). In or event, however, may a reply to timely filled ** If No period for length is appelled above, he macroum shabdary period will apply and will explice ISK (6) MONTHS from the orabiling date of this communication of the communication of th							
Craig A Renner Casig Renner	Office Action Summary	<u> </u>					
The MAILING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extension for tenner by the windles where the provision of 37 CFR 1.73(b). In no event, however, may a reply be timely filled to the period for reply specified above is less than thirty (30 days, a reply vitin) the addatory minimum of thirty (30) days will be considered timely. If the period for reply specified above is less than thirty (30 days, a reply vitin) the addatory minimum of thirty (30) days will be considered timely. If the period for reply specified above is less than thirty (30 days, a reply vitin) than the station of the period for reply specified above is less than the replication of the period for reply will, by addition to the control to the control of the period for reply will, by addition to the period of the period for reply will, by addition to the control of the period for reply will, by addition to the control of the period for reply will, by addition to the control of the period for reply will, by addition to the control of the period of the control of the period of the perio	omec Action Gummary						
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1. This application contains claims directed to the following patentably distinct species of the claimed invention:

Species I - FIG. 1. Species II - FIG. 3. Species III - FIG. 4. Species IV - FIGS. 5(A-C). Species V - FIG. 10. Species VI - FIG. 14A. Species VII - FIG. 14B. Species VIII - FIG. 16. Species IX - FIG. 18. Species X - FIGS. 20(A-E). Species XI - FIG. 21. Species XII - FIG. 23. Species XIII - FIG. 24. Species XIV - FIGS. 25(A-B). Species XV - FIG. 27(A-B). Species XVI - FIG. 28(A-C).

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claim appears to be generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims

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are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

- 2. A telephone call was made to Dan J. Stanger on 16 September 2004 to request an oral election to the above restriction requirement, but did not result in an election being made.
- 3. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).
- 4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Craig A. Renner whose telephone number is (703) 308-0559. The examiner can normally be reached on Tuesday-Friday 7:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa T. Nguyen can be reached on (703) 305-9687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Craig A. Renner Primary Examiner Art Unit 2652

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